

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CRYSTALLEX INTERNATIONAL
CORPORATION,

Plaintiff,

v.

BOLIVARIAN REPUBLIC OF
VENEZUELA,

Defendant.

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C.A. No. 1:17-mc-00151-LPS

**BANCO SAN JUAN INTERNACIONAL'S RESPONSE
TO QUESTIONS IN THE COURT'S ORDER DATED MAY 10, 2023**

Pursuant to this Court's May 10, 2023 Order, D.I. 559, Banco San Juan Internacional ("BSJI"), as an interested creditor,¹ submits this response to the Court's questions set out in Paragraphs 3(a) and 3(c) of the Order.

BSJI holds foreign-country money judgments issued by the Commercial Court of England and Wales in the United Kingdom against Petróleos de Venezuela S.A. ("PDVSA") and its operating subsidiary PDVSA Petróleo, S.A. ("PPSA"). To date, PDVSA and PPSA have willfully failed and refused to satisfy the U.K. judgments, and they currently owe BSJI almost \$101 million. BSJI initiated its recognition action in this Court in October 2022, which action was transferred to the United States District Court for the District of Columbia where it is currently pending. *See Order, BSJI v. PDVSA et al.*, No. 1:22-CV-01315-LPS (D. Del. Apr. 4, 2023), D.I. 31.

¹ The Court's order permits "any other interested creditor" to brief issues identified in Paragraph 3 of the Order. D.I. 559 at 2.

In response to this Court's question in Paragraph 3(a) of the Order, D.I. 559, BSJI submits that its judgments against PDVSA and PPSA should be regarded as "Additional Judgments" under the Sale Procedures Order. As BSJI previously stated, after its U.K. judgments against PDVSA and PPSA are recognized in the District of Columbia, BSJI intends to return to this Court to register its converted judgements and pursue enforcement in this District. BSJI's Answering Brief, *BSJI v. PDVSA et al.*, No. 1:22-CV-01315-LPS (D. Del. Feb. 16, 2023), D.I. 21 at 17.

In response to this Court's question in Paragraph 3(c) of the Order, D.I. 559, BSJI submits that judgements directly against PDVSA should be prioritized over judgments against Venezuela which rely on the alter ego theory to get to PDVSA's assets in the United States.

BSJI respectfully requests that this Court consider BSJI's judgments against PDVSA and PPSA for purposes of the Sale Procedure Order.

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May 24, 2023

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